

INTRODUCED: 05/21/2018

REFERRED TO: Public Safety and Criminal Justice Committee

SPONSOR: Councillor Osili

DIGEST: amends the Code regarding the appointment of the Indianapolis Metropolitan Police Department merit board members, adding two additional members (one to be appointed by the council and one by a majority vote of the active members of IMPD) and staggering term ending dates

SOURCE:

Initiated by: Councillor Osili

Drafted by: Fred Biesecker, General Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL:



Date: May 17, 2018

CITY-COUNTY GENERAL ORDINANCE NO. , 2018

PROPOSAL FOR A GENERAL ORDINANCE amending the Code regarding the appointment of the Indianapolis Metropolitan Police Department merit board members, adding two additional members (one to be appointed by the council and one by a majority vote of the active members of IMPD) and staggering term ending dates.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 279-233 of the "Revised Code of the Consolidated City and County," regarding the appointment or election of IMPD merit board members and their qualifications, hereby is amended by the deletion of the language that is stricken-through and the addition of the language that is underlined, to read as follows:

Sec. 279-233. Appointment or election of board members; qualifications.

(a) In accordance with IC 36-8-3.5-1, effective January 1, 2019, the ~~The board consists of seven (7)~~ shall be composed of nine (9) members as follows:

(1) Four (4) members appointed by the mayor;

(2) ~~For the first term of the board, one (1) member appointed by the metropolitan law enforcement consolidation transition authority;~~

(3) ~~For all subsequent terms of the board, one (1) member~~ Two (2) members appointed by the city-county council; and

~~(4) (3) Two (2) Three (3)~~ Three (3) members elected by a majority vote of the active members of the department.

(b) An active member of the department may not serve on the board.

(c) The terms of members of the board serving on December 31, 2018 shall expire on that date. Prior to January 1, 2019, new appointments and elections shall be done under subsection (a), effective January 1, 2019. Initial appointments made by the mayor shall be for terms ending December 31, 2019,

December 31, 2020, December 31, 2021, and December 31, 2022, respectively. Initial appointments made by the council shall be for terms ending December 31, 2020. Initial terms for elected members shall end December 31, 2021. Thereafter, the term of office for an appointed or elected member of the board is four (4) years, beginning on the date the member is qualified and assumes office, or for the remainder of an unexpired term. Members of the board serve during their respective terms and until their successors have been appointed and qualified.

(d) Not more than:

- (1) ~~Two (2)~~ Three (3) of the members appointed by the mayor; or
- (2) ~~One (1)~~ Two (2) of the members elected by the members of the department;

may belong to the same political party.

(e) Each member of the board must reside in the county.

(f) Each member of the board may be removed for cause duly adjudicated by declaratory judgment of the Marion Superior Court.

(g) Each member of the board is entitled to receive reimbursement from the county for actual expenses incurred while serving as a member.

(h) As soon as practicable after they are appointed and elected, the members of the board shall meet upon the call of the chief, in consultation with the mayor, and organize by electing a president and a secretary from among their membership.

(i) ~~Four (4)~~ Five (5) members of the board constitute a quorum for the transaction of business.

(j) The board must hold regular monthly meetings throughout the year as is necessary to transact the business of the department.

SECTION 2. This Ordinance shall be in full force and effect upon its passage by the City-County Council and compliance with IC § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2018, at _____ p.m.

ATTEST:

Vop Osili
President, City-County Council

SaRita Hughes
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2018, at 10:00 a.m.

SaRita Hughes
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2018.

Joseph H. Hogsett, Mayor